

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, MAIL STOP AF, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: TAM SSSOR DATE: MARCH 5, 2004

MAIL STOP AF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Emil C. Gotschlich	: Group Art Unit: 1652 : : :
Appln. No.:	10/007,267	: Examiner: Manjunath Rao : :
Filed:	December 3, 2001	: : :
For:	GLYCOSYLTRANSFERASES FOR BIOSYNTHESIS OF OLIGOSACCHARIDES AND GENES ENCODING THEM	: Attorney Docket : No. 040853-01-5029-02 : :

**TERMINAL DISCLAIMER AND STATEMENT OF COMMON OWNERSHIP**

In accordance with 37 C.F.R. § 1.321(c), Petitioner, The Trustees of The Rockefeller University, residing at New York, New York, represents that it is assignee of the whole and entire right, title and interest in and to the above-identified application. The above-identified application, 10/007,267, is a continuation of 09/333,412, filed June 15, 1999 now U.S. Patent 6,342,382, which is a continuation of 08/878,360, filed June 18, 1997 now U.S. Patent 5,945,322, which is a continuation of 08/683,426, filed July 18, 1996 now U.S. Patent 5,705,367, which is a divisional of 08/312,387 filed September 26, 1994 now U.S. Patent 5,545,553. Therefore, the above-identified application is related to prior U.S. Patent No. 5,705,367 (the "prior patent"). The prior patent was assigned to Petitioner by an Assignment recorded January 5, 1995, at Reel 7292, Frame 0344. Based on a review of evidentiary documents relating to the chain of title from the original owner to Petitioner, the undersigned hereby certifies that to the best of her knowledge and belief, both the present application and the prior patent are commonly owned by Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term, defined in 35 U.S.C. § 154 to § 156, of the prior patent. Petitioner hereby agrees that any patent so granted on the present application shall be enforceable

only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term, defined in 35 U.S.C. § 154 to § 156, of the prior patent, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a re-examination certificate, or is in any manner terminated prior to the expiration of its full statutory term.

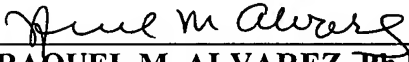
The undersigned official of Petitioner is empowered to act on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

**EMIL C. GOTSCHLICH**

March 5, 2004  
Date

By:   
**RAQUEL M. ALVAREZ, Ph.D., J.D.**  
Registration No. 45,807  
**MORGAN, LEWIS & BOCKIUS, L.L.P.**  
1701 Market Street  
Philadelphia, PA 19103-2921  
Telephone: (215) 963-5000  
**Direct Dial: (215) 963-5403**  
Facsimile: (215) 963-5001  
E-Mail: [ralvarez@morganlewis.com](mailto:ralvarez@morganlewis.com)  
Attorney for Applicants

KD/RMA/TMS

Enclosures (Response to Advisory Action; Petition for One-Month Extension of Time)